

MEMORANDUM ENDORSED ORDER:

The request to adjourn the upcoming status conference is denied given the lack of activity in this case over the past 18 months.

SO ORDERED.

Dated: May 24, 2022

/s/ Sean H. Lane

United States Bankruptcy Judge

Katten

50 Rockefeller Plaza
New York, NY 10020-1605
+1.212.940.8800 tel
katten.com

STEVEN J. REISMAN
sreisman@katten.com
+1.212.940.8700 direct
+1.212.940.8776 fax

May 24, 2022

VIA ELECTRONIC MAIL AND ECF: shl.chambers@nysb.uscourts.gov

The Honorable Sean H. Lane
United States Bankruptcy Court for the Southern District of New York
One Bowling Green
New York, New York 10004-1408
shl.chambers@nysb.uscourts.gov

Re: *In re BSG Resources Limited (in administration)*
Chapter 15 Case No.: 19-11845 (SHL)

Dear Judge Lane:

In advance of the upcoming status conference scheduled for May 26, 2022, we write on behalf of Richard Fleming, Mark Firmin and Carl Bowles in their capacity as joint administrations (collectively, the “Joint Administrators”) for BSG Resources Limited (in administration) (“BSGR”) and Vale S.A. (“Vale”) to provide the Court with an update regarding the above-captioned Chapter 15 proceedings before Your Honor (the “Chapter 15 Proceedings”).

On May 18, 2022, an arbitral panel of the International Centre for Settlement of Investment Disputes (“ICSID”) issued its award in the proceedings titled BSG Resources Limited (in administration), BSG Resources (Guinea) Limited and BSG Resources (Guinea) SARL v. Republic of Guinea (ICSID Case No. ARB/14/22) (the “Award”). The Award has not yet been authorized for publication, and remains confidential while the parties to the arbitration make their determinations on confidentiality designations, if any.

The Joint Administrators are reviewing the Award to assess any potential implications for ongoing proceedings, including the Chapter 15 Proceedings. In light of this development, and on behalf of the Joint Administrators and Vale, we request to adjourn the

The Honorable Sean H. Lane
Page 2

scheduled status conference for 60 days to allow the Joint Administrators to review and analyze the Award, subject to Your Honor's agreement.

Respectfully submitted,

/s/ Steven J. Reisman

Steven J. Reisman
sreisman@katten.com
Shaya Rochester
srochester@katten.com
KATTEN MUCHIN ROSENMAN LLP
50 Rockefeller Plaza
New York, New York 10020-1605
Telephone: (212) 940-8800
Facsimile: (212) 940-8776

– and –

David Stagman
david.stagman@katten.com
KATTEN MUCHIN ROSENMAN LLP
525 W. Monroe Street
Chicago, Illinois 60661-3693
Telephone: (312) 902-5499
Facsimile: (212) 940-8776

Counsel for the Joint Administrators

CLEARY GOTTlieb STEEN & HAMILTON LLP

/s/ Jeffrey A. Rosenthal

Jeffrey A. Rosenthal
Lisa M. Schweitzer
Lisa Vicens
One Liberty Plaza
New York, New York 10006
Telephone: (212) 225-2000
Facsimile: (212) 225-3999

Counsel for Vale S.A.